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**DEPARTMENT OF LAW**

**Consumer Protection Section**  
**Uniform Consumer Credit Code**

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**M E M O R A N D U M**

**TO:** Supervised Lender Applicant

**FROM:** Colorado Uniform Consumer Credit Code ("UCCC")  
Phone: (720) 508-6010  
Fax: (720) 508-6033  
E-mail: [uccc@state.co.us](mailto:uccc@state.co.us)

**RE:** UCCC Supervised Lender Licensing Requirements

Supervised Loans

A Colorado supervised lender's license is required to engage in the business of supervised loans. A supervised loan is a consumer loan with an annual percentage rate greater than 12% per year, or for an adjustable rate loan, has a maximum cap that could exceed 12% per year [UCCC § 5-1-301(47)]. Consumer loans include both secured and unsecured consumer loans; deferred deposit loans (also known as payday loans, post-dated check cashing, and/or deferred deposit lending); small installment loans; credit cards; consumer insurance premium financing; and the real estate secured loans described below. A license is needed if you regularly:

- make supervised loans,
- collect supervised loans the lender previously made,
- service, take assignment of, or purchase supervised loans and collect or enforce rights arising from them,<sup>1</sup> or
- engage in deferred deposit loans, offer these loans, or act as an agent for a third party making these loans (even if the loans are approved by a third party and that third party is exempt from licensing), in addition to the above activities.

Licensing Exemptions

No supervised lender's license is needed:

- if the lender is a "supervised financial organization" – a state-chartered or national bank or other institution authorized to make loans *and* take deposits [UCCC § 5-1-301(45)].

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<sup>1</sup> If the supervised loans you service, purchase, or take assignment of are in default when you obtain them, you may also need a collection agency license. Contact (720) 508-6020 for more information.

- if the lender does not regularly engage in supervised lending. A lender regularly engages in supervised lending if it makes, collects, or takes assignment of more than 5 real estate secured consumer loans or more than 25 non-real estate secured consumer loans in the prior or current calendar year, or makes or brokers more than 1 high-rate high-fee loan subject to the federal Home Ownership and Equity Protection Act (HOEPA) and Regulation Z, section 32 (226 C.F.R. § 32).
- for first mortgage home acquisition loans or refinances of first mortgage home acquisition loans, even if part of the proceeds are used for other purposes, but a license *is* needed for consumer loans with APRs more than 12%, or that could exceed 12% on adjustable rate loans, for non-acquisition, non-refinance purposes secured by a first mortgage.
- for mortgage brokers to make supervised loans unless the broker closes the supervised loan in its name, regardless of funding or immediate assignment (except for HOEPA loans, see above).
- to make consumer loans with APRs of 12% or less.
- to make, service, purchase, or take assignment of consumer credit sales or consumer leases. Credit sellers must annually file a Retail Sales Notification Form and pay a notification fee. Assignees/servicers of credit contracts must annually file a Sales Finance Notification Form and pay a notification fee plus volume fees. Call (720) 508-6010 for more information or visit our website at [www.coloradoattorneygeneral.gov/uccc](http://www.coloradoattorneygeneral.gov/uccc).
- if you are licensed as a Colorado collection agency or Colorado attorney and all supervised loans you take assignment of or collect are in default when obtained.

These exemptions are statutory but no licensing exemption certificates or letters are issued.

#### Mortgage Loan Originator Licenses

Individuals who take a residential mortgage loan application or offer or negotiate terms of a residential mortgage loan must obtain a mortgage loan originator license from the Colorado Division of Real Estate at [www.dora.state.co.us/real-estate/mortgagebrokerregistration.htm](http://www.dora.state.co.us/real-estate/mortgagebrokerregistration.htm). This is separate from the supervised lender license required for mortgage companies making supervised loans, and may apply to a mortgage company's employees.

#### Compliance Exams

Licensed supervised lenders are subject to periodic unannounced compliance examinations. Reasonable working accommodations and access to all of the lender's books and records must be provided at that time. A lender must keep and maintain records to establish that it is complying with the UCCC. Records must be retained for 4 years after the last entry is made on the loan. Failure to maintain or produce records for compliance examinations may subject the lender to discipline including penalties of \$200 per day. Licensed supervised lenders must also file an annual statistical report and proof of financial responsibility each June 1, respond to consumer complaints, and pay license renewal fees each January 31.

#### Master and Branch Licenses

A separate license is needed for each location where the lender engages in supervised lending. Once one supervised lender's license has been issued (the master license), subsequent applications are for branch licenses. The master license may, but need not, be the headquarters location. The master license mailing address will be the address used for renewal and compliance material for all licensed locations. Contact this office for a branch license application or obtain it at [www.coloradoattorneygeneral.gov/uccc](http://www.coloradoattorneygeneral.gov/uccc).

### General Information

A supervised lender cannot regularly engage in supervised lending *until* it has obtained a supervised lender's license. A lender may only use the name(s) appearing on the supervised lender license. Your application should therefore include all legal and trade names used in the lending business. It may take 60 days to issue a new license after a completed application is received. Branch license locations may automatically operate for up to 120 days after a completed branch application is received until the application is approved or denied.

Failure to obtain a required supervised lender's license or comply with all regulatory requirements may result in legal or disciplinary action including license revocation, injunctions, civil penalties, and forfeiture of excess charges. In addition, the lender may be subject to criminal liability.

All consumer lenders must comply with the Colorado UCCC and the federal Truth in Lending Act and Regulation Z. Some of the regulatory provisions of the UCCC include disclosure of the cost of credit (annual percentage rate, amount financed, total of payments, etc.) and compliance with the provisions on default including right to cure, delinquency charges, deferral, refinancing, prohibitions on prepayment penalties, and record retention requirements. You are advised to contact an attorney to ensure you are in compliance with all legal requirements.

Copies of the Colorado UCCC and rules may be obtained from our website at [www.coloradoattorneygeneral.gov/uccc](http://www.coloradoattorneygeneral.gov/uccc). Copies of the Truth in Lending Act and Regulation Z are available at [www.ftc.gov](http://www.ftc.gov).

**DUE TO THE INVESTIGATION NECESSARY TO DETERMINE SUITABILITY FOR LICENSURE AND THE VOLUME OF LICENSE APPLICATIONS, THE LICENSE APPROVAL PROCESS MAY TAKE AS LONG AS SIXTY (60) DAYS AFTER A COMPLETED APPLICATION IS FILED. ON AVERAGE, A LICENSE IS ISSUED WITHIN 30 DAYS OR LESS AFTER ALL MATERIALS ARE RECEIVED. PLEASE DO NOT CALL OUR OFFICE TO CHECK APPLICATION STATUS PRIOR TO THE 30<sup>th</sup> DAY AFTER A COMPLETED APPLICATION IS RECEIVED. FAILURE TO FILE COMPLETED APPLICATIONS WILL DELAY LICENSING.**

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**COLORADO SUPERVISED LENDER'S LICENSE APPLICATION**  
**INSTRUCTIONS**

File the enclosed application form and all attachments listed below for the initial Colorado supervised lender's license. Do not file incomplete applications. A supervised lender's license may only be issued if the applicant and its principals exhibit sufficient financial responsibility, character, and fitness to ensure that the applicant will operate fairly and honestly.

- A. **APPLICATION** – all applicants complete the supervised lender license application and the following, as applicable:
- B. **CORPORATIONS** - attach a copy of the Certificate of Authority or Good Standing from the Colorado Secretary of State, or application therefore containing the filing date and account number. Lenders licensing out-of-state offices may substitute similar certificates from the state in which the loan office is located. Contact the Colorado Secretary of State at (303) 894-2200, or view [www.sos.state.co.us](http://www.sos.state.co.us).
- C. **PARTNERSHIPS** - attach a copy of the Partnership Agreement. A limited partnership must also submit a copy of the recorded certificate filed with the Colorado Secretary of State as required by §7-61-103, C.R.S.
- D. **LIMITED LIABILITY COMPANIES** - attach a copy of the Certificate of Organization from the Colorado Secretary of State. Lenders licensing out-of-state offices may substitute similar certificates from the state in which the LLC is organized.
- E. **DBA, TRADE, OR ASSUMED NAMES** – applicants using trade names attach a copy of a properly filed trade name affidavit showing the trade/assumed name from the Colorado Secretary of State. Contact the Colorado Secretary of State at (303) 894-2200, or view [www.sos.state.co.us](http://www.sos.state.co.us). Lenders licensing out-of-state offices may substitute similar trade name approval from the state where the business is located.
- F. **FINANCIAL RESPONSIBILITY** – all applicants must provide a surety bond or other financial responsibility per license. The amount is adjusted each June 1 based on the total Colorado loan volume for the prior calendar year. The amounts required are:

<b>Annual Colorado Loan Volume</b>	<b>Financial Responsibility Needed</b>
\$0 to \$500,000	\$15,000
Over \$500,000 to \$1 million	\$20,000
Over \$1 million	\$25,000

To avoid annual adjustments, provide \$25,000 for each licensed location. There is a maximum cap of \$250,000 for all locations so lenders with multiple locations may wish to file proof of \$250,000 at the outset. Acceptable forms of financial responsibility are: (1) an original surety bond (form attached), (2) a cash assignment (form attached), or (3) a letter of credit. The letter of credit must be irrevocable with no conditions; issued by a state or national bank or savings and loan doing business in Colorado; state the dollar

amount; name the UCCC Administrator as beneficiary in favor of the people of the State of Colorado; and shall remain in place for two years after the license is surrendered, revoked, or expires. See UCCC Rule 9(b) for additional information.

- G. **PERSONAL AFFIDAVITS** – all applicants attach a personal affidavit for each individual owner, member, partner, and primary corporate executive officer. One blank copy is enclosed. Make extra copies as needed.
- H. **BRANCH OFFICES** - additional offices or locations of the same lender require separate licenses. File a branch office application form for each of these locations. The branch application is available by calling (720) 508-6010 or on our website at [www.coloradoattorneygeneral.gov/uccc](http://www.coloradoattorneygeneral.gov/uccc). When a completed branch application is received, the branch is automatically licensed for up to 120 days while the application is reviewed for approval or denial. We may conduct compliance examinations on existing locations prior to approval of branch applications. Unresolved compliance examinations of existing locations may effect approval.
- I. **LENDERS MAKING DEFERRED DEPOSIT AND PAYDAY LOANS, OR SMALL INSTALLMENT LOANS OF \$1,000 OR LESS** –
- submit a completed sample copy of your disclosure forms and promissory note/contract that complies with the Truth in Lending Act, Regulation Z, and the Uniform Consumer Credit Code and reflects the terms of an actual loan. The documents must include all contract terms, consumer disclosures, and an accurate annual percentage rate for the sample loan provided. Review of your forms does not constitute approval but we will note obvious defects as time and staffing permit.
  - new applicants making these types of loans may be asked to meet with regulatory staff prior to license approval to discuss record keeping, operational matters, compliance, and demonstrate familiarity with and ability to follow the UCCC.
- J. **LICENSE VERIFICATIONS** - an applicant licensed by other state agencies must, for its initial license only, complete the top of the attached license verification form and mail it to all of these agencies. Attach copies of all verification forms you mailed to these states with your application so we may track receipt of these forms. Regulatory agencies should mail the completed form directly to the UCCC.
- K. **LICENSE FEES** – the initial/master license fee is \$850 payable to the Colorado Uniform Consumer Credit Code (this includes a \$100 surcharge for the Identity Theft and Financial Fraud Cash Fund required by section 24-33.5-1707(2)(b), C.R.S.). **Do not send any fees until you are notified that your application is complete.** License fee amounts are subject to change periodically due to state budget requirements. Licenses are subject to renewal each January 31. Licenses are *not* reissued each year; the original license is perpetual and is renewed by payment of the appropriate fee.
- L. **COMPLETION OF APPLICATION** - an application is not “complete” unless all items listed above have been filed (not including regulatory agency responses to license verification forms and license fee). If we advise you the application is incomplete, you will have 45 days to complete the application.
- M. **SOLE PROPRIETORS** – applicants that are sole proprietors/natural persons must complete the attached affidavit of citizenship/legal residency.

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APPLICATION FOR COLORADO SUPERVISED LENDER'S LICENSE

1. Legal name of applicant (corporation, LLC, partnership, or proprietor's name).

\_\_\_\_\_  
2. Trade or assumed name(s) used in supervised lending (if different from above)(see instruction #D).

3. Address of initial location to be licensed

\_\_\_\_\_  
(Street Address)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip Code)

Telephone # \_\_\_\_\_

Fax # (if available) \_\_\_\_\_

800 # (if available) \_\_\_\_\_

Lender's web site address (if applicable) \_\_\_\_\_

4. Contact name, mailing address (if different from #3), phone and email for license renewal and regulatory compliance information for this license (master license) and all branches.

5. Type(s) of activity you expect to engage in. Check all that apply:

\_\_\_\_\_ Make (i.e. originate)      \_\_\_\_\_ Take assignment of or purchase for collection,  
servicing, or enforcement purposes

Check all applicable categories:

\_\_\_\_\_ Deferred deposit loans, post-dated checks, check holding, or payday loans

\_\_\_\_\_ Small installment loans of \$1,000 or less (per section 5-2-214, C.R.S.)

\_\_\_\_\_ Unsecured loans or loans secured by personal property and/or autos

\_\_\_\_\_ Loans secured by mobile homes

\_\_\_\_\_ Home equity loans, junior lien mortgages, or first mortgages subject to the UCCC  
(not for home acquisition or refinance purposes) with APRs greater than 12% per  
annum, or with interest rate caps greater than 12% on variable rate loans

\_\_\_\_\_ Insurance premium finance loans

\_\_\_\_\_ Credit cards

\_\_\_\_\_ Retail sales installment contracts (credit sales) or consumer leases

6. CORPORATIONS or LIMITED LIABILITY COMPANIES (see Instructions #B & #D)

Incorporated or Organized in the State of \_\_\_\_\_

Date of Incorporation or Organization \_\_\_\_\_

**Colorado** Registered Agent for Service of Process (required)

Name \_\_\_\_\_

\_\_\_\_\_  
(Street) (City) CO (Zip Code)

PRIMARY OFFICERS or MEMBERS (add additional list if necessary)

President \_\_\_\_\_

Vice President \_\_\_\_\_

Secretary \_\_\_\_\_

Treasurer \_\_\_\_\_

7. Provide the names of the stockholders of the corporation or the members of the limited liability company and the percentage of each stockholder's or member's ownership interest. For corporations: If publicly traded, list all entities holding 10% or more of the stock: If privately held, the number of shares must equal 100% of the stock. (Attach additional pages if necessary)

Name % of Stock or Member Ownership

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. PARTNERSHIPS answer the following questions for each partner (see Instruction #C):

Date of formation \_\_\_\_\_

Place of formation \_\_\_\_\_

Type of partnership: General \_\_\_\_\_ Limited \_\_\_\_\_

PARTNERS, both General and Limited (add additional list if necessary)

NAME \_\_\_\_\_

NAME \_\_\_\_\_

NAME \_\_\_\_\_

8. SOLE PROPRIETORSHIPS answer the following questions (see Instruction #E)

Name of Individual Proprietor \_\_\_\_\_

**ALL APPLICANTS ANSWER THE FOLLOWING QUESTIONS**

9. Have any of the persons or organizations listed above been convicted of or entered a plea of guilty to theft, concealing stolen goods, forgery, fraud, offenses related to the Uniform Commercial Code or financial transaction devices, or any similar crime in any federal, state, or local jurisdiction? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe details below.

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- 
10. Have any of the persons or organizations listed above been the subject of any administrative, disciplinary, or legal action by any federal, state, or local governmental entity, whether or not a final order or judgment was entered, including denial, revocation, or suspension of a license; fines or penalties; or any other adverse action? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe details below.
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11. Are any of the persons or organizations listed above now subject to any pending administrative, disciplinary, or legal action by any federal, state, or local governmental entity concerning any business activity in which applicant is or has been engaged? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe details below.
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12. List all state, federal, or local regulatory authorities which now or in the past, license or register any of the persons or organizations listed above as a lender, mortgage broker, deferred deposit lender, financial institution, or other professional licensed occupation. (attach additional sheets if necessary) (see Instruction #J).

Regulatory Agency Name \_\_\_\_\_

Regulatory Agency Address \_\_\_\_\_

Type of License/Registration and # (if applicable) \_\_\_\_\_

Date first licensed/registered \_\_\_\_\_

13. Has the applicant ever filed for bankruptcy or had a federal or state tax lien filed against it in the last ten years? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe details below.
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**Statements made herein are made under oath. False statements may be punishable as second degree perjury.**

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Signature

Title

Date

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Signature

Title

Date

Corporations should affix corporate Seal and the signatures of the President or other authorized official of the corporation.

Partners must sign individually or in accordance with the Partnership Agreement.



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PERSONAL AFFIDAVIT

To be completed by each partner, individual owner, member, manager, or each primary corporate officer.  
A separate form is to be filed by each person.

**OMISSIONS MAY BE CONSTRUED AS INTENTIONAL FAILURE TO DISCLOSE A MATERIAL FACT AND MAY BE GROUNDS FOR REJECTION OF APPLICATION.**

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SUPERVISED LENDER'S NAME (corporate, LLC, partnership, or proprietor's name)

1. \_\_\_\_\_  
Name and title of partner, owner, member, manager, or officer filing this affidavit.

**The information requested in questions #2 and 3 is required by § 14-14-113 and 24-31-107, C.R.S. and may be used to revoke, suspend, or deny licenses as determined by the state child support enforcement agency for noncompliance with support orders or subpoenas/warrants relating to paternity and child support.**

2. Home Address \_\_\_\_\_  
(Street Address) (City) (State) (Zip Code)

3. Date of Birth \_\_\_\_\_ Social Security No. \_\_\_\_\_

4. Occupational Record. Furnish a complete record of employment and business associations for the last ten years, including all companies in which you have or had an interest as an officer, director, or voting stockholder. Account for all periods of time. Periods of unemployment should be indicated and dates given.

DATES (month, year)	EMPLOYER	POSITION	DUTIES
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. Have you ever been directly or indirectly connected with any organization or business in Colorado or elsewhere, which had an application for license or registration for any business activity denied by any federal, state, or local governmental entity, or which withdrew such application to avoid a denial, or by request, or which had its license or registration suspended, canceled, revoked or subject to any other disciplinary action, whether or not a final order or judgment was entered? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, furnish details.

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6. In the last 10 years, have you ever been, or has any organization or business with which you were associated as an officer, director, partner, owner, or otherwise, involved in any voluntary or involuntary bankruptcy, receivership, or insolvency proceedings? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, furnish details.

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7. Have you ever been convicted of or entered a plea of guilty to theft, concealing stolen goods, forgery, fraud, offenses related to the Uniform Commercial Code or financial transaction devices, or any similar crime in any federal, state, or local jurisdiction? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, describe details below.

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8. In the last ten years, have you entered a plea of guilty or nolo contendere to, or been convicted of, a felony or a misdemeanor other than a traffic violation and other than information listed in Question 7? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, furnish details.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
9. Have you ever been held liable in any civil fraud action in any judicial or administrative proceeding by a federal, state, or local governmental entity? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, furnish details.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
10. Is there now pending any criminal action by any federal, state, or local governmental entity charging you with having committed a felony or misdemeanor other than a traffic violation? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, furnish details.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
11. Is there now pending before any judicial or administrative agency of a federal, state, or local governmental entity any proceeding charging you with violation of credit, broker, or lending laws; fraud; misrepresentation; or other deceptive practices? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, furnish details.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Statements made herein are made under oath. False statements may be punishable as second degree perjury.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Surety Bond No. \_\_\_\_\_

**SURETY BOND - SUPERVISED LENDER**

*Colorado Uniform Consumer Credit Code*  
(§ § 5-2-302, 5-2-304, C.R.S. & UCCC Rule 9, 4 CCR 902-1)

KNOW ALL PERSONS by these presents that \_\_\_\_\_  
(applicant-licensee name)  
of \_\_\_\_\_  
(principal address of applicant-licensee)  
as principal (hereinafter "licensee") for the following location(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ and  
\_\_\_\_\_ (hereinafter "surety"), a surety duly licensed by the  
Commissioner of Insurance of the State of Colorado, as surety, of \_\_\_\_\_

\_\_\_\_\_ (surety's address)  
are held and firmly bound unto the Attorney General of the State of Colorado acting through the  
ADMINISTRATOR OF THE UNIFORM CONSUMER CREDIT CODE for use of the PEOPLE OF  
THE STATE OF COLORADO as obligee (hereinafter "UCCC Administrator") in the sum of  
\_\_\_\_\_ thousand dollars (\$\_\_\_\_\_)  
lawful money of the United States for the payment of which, well and truly to be made, we bind  
ourselves, our heirs, executors, administrators, successors and assigns jointly, severally, and firmly  
by these presents.

WHEREAS, licensee is applying to become or is a licensed supervised lender pursuant to § 5-2-302  
and 5-2-304, C.R.S. and seeks to establish, meet, and maintain the financial responsibility  
requirements of the UCCC Administrator during the term of the subject license by tender of the  
within bond,

NOW, THEREFORE, the conditions of this bond are such that if the licensee shall comply with all  
provisions of the UCCC, and the rules and regulations lawfully adopted thereunder, during the term  
of the supervised lender license for which this bond is applicable, and shall pay any and all amounts  
which become due or owed to the UCCC Administrator thereunder, and shall pay any and all final  
judgments or orders that become lawfully due to or on behalf of any person who has prevailed in a  
UCCC cause of action against licensee, then this obligation is null and void, but otherwise to remain  
in full force and effect,

PROVIDED that the surety's aggregate liability for any and all claims which may arise under this  
bond shall in no event exceed the amount of this bond, regardless of the number of claims or  
claimants, and

FURTHER PROVIDED that the surety shall have the right to terminate or reduce its liability  
hereunder only by giving the licensee and the UCCC Administrator written notice of such  
termination or reduction of liability, sent by Certified U.S. Mail to the UCCC Administrator,  
Consumer Protection Section, Ralph L. Carr Colorado Judicial Center, 1300 Broadway, 6th Floor,  
Denver, Colorado 80203 or the UCCC Administrator's most current address. Such termination or  
reduction of liability shall be effective from and after the expiration of 30 days from the receipt of  
such notice by the UCCC Administrator or on such later date as is stated in the notice; provided,

however, that no liability incurred while said bond is in force and prior to said effective date of termination or reduction of liability shall be released or reduced by giving such notice, and

FURTHER PROVIDED, that after giving notice of termination or reduction of liability, the surety may reinstate or increase its liability by the execution and filing of a new bond or by mailing written notice to the UCCC Administrator indicating that the surety desires to continue as surety for the licensee and that its prior notice of termination or reduction of liability is withdrawn and rescinded.

FURTHER PROVIDED that, if this bond is not previously terminated as set forth above, the liability of the surety shall expire two (2) years after the date of the surrender, revocation, or expiration of the subject license, whichever shall first occur.

THIS BOND shall be effective on and after \_\_\_\_\_ (date) or, if left blank, the date of execution by surety shall be the effective date of the bond. The bond shall be effective, if accepted by the UCCC Administrator, without further notice.

WITNESS our hands and seals:

LICENSEE OR APPLICANT:

[CORPORATE SEAL]

\_\_\_\_\_  
(Supervised Lender's Name)

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

**SURETY MUST ATTACH POWER OF ATTORNEY**

[SURETY SEAL]

\_\_\_\_\_  
(Surety)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

**CASH ASSIGNMENT - COLORADO UNIFORM CONSUMER CREDIT CODE**  
**ADMINISTRATOR**

*Colorado Uniform Consumer Credit Code*  
(§ § 5-2-302, 5-2-304, C.R.S. & Rule 9, 4 CCR 902-1)

Assignor \_\_\_\_\_,  
(Licensee/Applicant's Name, hereinafter "licensee")  
whose principal place of business is located at \_\_\_\_\_  
\_\_\_\_\_, for the following locations(s) \_\_\_\_\_

\_\_\_\_\_ do/does  
hereby assign and set over to the Attorney General of the State of Colorado, and the Administrator of  
the Uniform Consumer Credit Code, for use by the People of the State of Colorado all right, title, and  
interest of any kind whatsoever, owned or held by Licensee in and to the insured account of Licensee  
in \_\_\_\_\_, a Colorado chartered or national bank or savings  
and \_\_\_\_\_ loan \_\_\_\_\_ association, \_\_\_\_\_ whose \_\_\_\_\_ address \_\_\_\_\_ is  
\_\_\_\_\_, Colorado, as evidenced by a  
savings account, deposit, or certificate of deposit account in the amount of  
\_\_\_\_\_ Dollars (\$\_\_\_\_\_), lawful money  
of the United States, identified as Account Number \_\_\_\_\_, which is  
delivered to the UCCC Administrator by Licensee.

Licensee agrees and stipulates that this Assignment carries with it the right in and to the insurance of  
this account provided by the Federal Deposit Insurance Corporation. This Assignment is given under  
the provisions of § 11-35-101, C.R.S. and is, along with all representations, warranties, powers, and  
rights herein contained or resulting herefrom, binding on Licensee, its heirs, executors, devisees,  
personal representatives, successors, and assigns, jointly and severally. This assignment is for the  
purpose of establishing evidence of licensee's financial responsibility to operate as a licensed  
supervised lender in compliance with the Colorado Uniform Consumer Credit Code. The term of  
this assignment shall be for a period from the date hereof until two (2) years from the date of  
surrender, revocation or expiration of said supervised lender's license or until such earlier date that  
the UCCC Administrator declares this Assignment null and void by written notice to both the  
Association/Bank and Licensee. Upon thirty (30) days written notice by the UCCC Administrator  
seeking forfeiture of this account of the Assignor and furnishing proper representation that all  
requirements of the law, including the organic law under which the UCCC Administrator is  
empowered to act, have been met, this agreement and account number \_\_\_\_\_  
shall be immediately declared to be the property of the UCCC Administrator and subject to  
immediate withdrawal by the appropriate State Official as required by law.

IN ACCORDANCE WITH § 11-35-101, C.R.S., THE AMOUNT OF \_\_\_\_\_  
\_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) SHALL BE  
THE AGGREGATE LIABILITY OF ASSOCIATION/BANK.

Assignor represents and warrants that:

- (1) the savings account book, certificate of deposit, or other evidence of this account is  
delivered herewith to the UCCC Administrator to be held in safekeeping for the use  
of the UCCC Administrator on behalf of the People of Colorado;
- (2) the account book, certificate of deposit, or other evidence of this account is genuine  
and in all respects what it purports to be;

- (3) Assignor is the owner thereof free and clear of all liens and encumbrances of whatever kind; and
- (4) Assignor has the full power, right and authority to execute and deliver this Assignment.

The UCCC Administrator represents that he/she has approved this method of Assignment by affixing the signature of an appropriate state official below. The UCCC Administrator makes no representations as to the truthfulness or accuracy of the statements contained in provisions (2) through (4) above.

Assignor constitutes and appoints the UCCC Administrator, the true and lawful attorney of Assignor with the full authority to transfer the account on the records of the Association/Bank upon compliance with this Assignment and the applicable law.

Assignor retains its right to be paid interest and dividends earned on the account, but only to the extent that no amount of interest and dividends accrued in this account shall be paid to the Assignor unless and until an amount equal to the maximum penalty and interest that will be forfeited due to withdrawal prior to termination or maturity of this account is accrued and retained in this account. In no event shall the principal of the instrument be diminished below the required financial responsibility amount in lieu of bond to pay interest or dividends to Assignor. Once the maximum penalty and interest and dividends are accrued and retained in this account, further accruals of interest and dividends may be paid to the Assignor according to the regulations governing the Association/Bank. Assignor acknowledges that if the principal of the instrument is partially or wholly withdrawn by the appropriate state official prior to the termination of this Assignment, the account may be subject to a penalty and interest and dividends will be forfeited according to state or federal regulations governing the Association/Bank.

DATED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_.

BY: \_\_\_\_\_  
(Name of Licensee/Assignor exactly as shown above)

\_\_\_\_\_  
(Signature of person authorized to sign for Assignor)

\_\_\_\_\_  
(Name of and title of signer)

**FIRST ENDORSEMENT, RECEIPT FOR NOTICE OF ASSIGNMENT AND WAIVER  
OF OFFSET**

Receipt is hereby acknowledged to the Attorney General of the State of Colorado and the UCCC Administrator, of written notice of the assignment of the above-identified account. We have noted our records to show the interest of the UCCC Administrator in said account as shown in and by the Assignment above. We have retained a copy of this Assignment. We hereby certify that: (1) we are an association/bank doing business in this state whose accounts are insured by the Federal Deposit Insurance Corporation; and (2) we have not received any notice of lien, encumbrance, hold, claim, or other obligation against the above-identified account prior to its assignment; and (3) we will not honor any requests for withdrawals of funds from the above-identified account except for interest and dividends earned on the account, as provided herein, without presentation of evidence of ownership of this account; and (4) as of this date, there is no prepaid interest on the above-identified account. We agree to make payment in accordance with Colorado and federal law applicable to Association/Bank, respectively.

During the effective period of this assignment, the Association/Bank waives all rights to make or claim any offset against the account by reason of any debts, present or future, of Assignor to the Association/Bank.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_

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(Name of bank or savings and loan association)

BY: \_\_\_\_\_ Title: \_\_\_\_\_  
(Signature of Officer of Association/Bank) (Title or capacity of officer)

**SECOND ENDORSEMENT AND RECEIPT FOR NOTICE OF ASSIGNMENT AND  
DIRECTION TO PAY EARNINGS**

Receipt is hereby acknowledged of the above Assignment, the account identified in the above Assignment, and evidence of the account. Upon termination of this Assignment, the association/bank named in the above Assignment is hereby authorized and directed to pay any balance remaining in the above-identified account to the above-named Assignor, unless the UCCC Administrator exercises its right to the funds in said account in whole or in part, as provided in this Assignment and by applicable Colorado law.

DATED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_

Administrator, Uniform Consumer Credit Code  
Consumer Protection Section  
Ralph L. Carr Colorado Judicial Center  
1300 Broadway, 6<sup>th</sup> Floor  
Denver, Colorado 80203

By: \_\_\_\_\_

---

(Title)





**CYNTHIA H. COFFMAN**  
Attorney General

**DAVID C. BLAKE**  
Chief Deputy Attorney General

**MELANIE J. SNYDER**  
Chief of Staff

**DANIEL D. DOMENICO**  
Solicitor General

**STATE OF COLORADO**  
**DEPARTMENT OF LAW**

**Consumer Protection Section**  
**Uniform Consumer Credit Code**

**Ralph L. Carr**  
**Colorado Judicial Center**  
1300 Broadway, 6th Floor  
Denver, Colorado 80203  
Phone (720) 508-6010  
Fax (720) 508-6033

**COLORADO UNIFORM CONSUMER CREDIT CODE**  
**License Verification Form**

**Applicant:** Complete the top part of this form and mail it to all states that license you as a lender, broker, or payday/deferred deposit lender. Copy the form and use it as needed. You do not need to mail it to states in which you are exempt from licensing/registration.

**State Regulator:** Please complete the bottom part of this form and mail or fax it to:

Colorado Department of Law  
Consumer Protection Section, UCCC  
Ralph L. Carr Colorado Judicial Center  
1300 Broadway, 6th Floor  
Denver, CO 80203  
[uccc@state.co.us](mailto:uccc@state.co.us)

**APPLICANT SECTION**

Name and Principal Address of Applicant:

Senior Officers, Owners, Partners, Manager's Names:

Trade Name(s) used in state in which you are licensed:

State and License Number(s):

Original License Date:

Type of License:

**STATE REGULATOR SECTION**

1. Is the above applicant licensed/regulated by your agency? Yes \_\_\_\_ No \_\_\_\_
2. Is the information provided by applicant accurate? Yes \_\_\_\_ No \_\_\_\_ Correct as needed.
3. Have you examined applicant for state law compliance? Yes \_\_\_\_ No \_\_\_\_
4. Are there any significant, unresolved examination issues? Yes \_\_\_\_ (Provide details) No \_\_\_\_
5. Are there any significant, unresolved complaints against applicant? Yes \_\_\_\_ (Provide details) No \_\_\_\_
6. Have you taken any disciplinary, administrative, or legal actions against applicant? Yes \_\_\_\_ (Provide details) No \_\_\_\_
7. Are there any pending or contemplated disciplinary, administrative, or legal actions against applicant? Yes \_\_\_\_ (Provide details) No \_\_\_\_

Name of person completing this form. \_\_\_\_\_

Title \_\_\_\_\_ State \_\_\_\_\_ Date \_\_\_\_\_

Telephone Number \_\_\_\_\_ Fax Number \_\_\_\_\_